

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Ruey J. YU, <i>et al.</i>)	Examiner: Nathan W. Schlientz
)	
Serial No.: 10/811,998)	Group Art No.: 1616
)	
Filed: November 13, 2001)	Confirmation No. 2680
)	
For: OLIGOSACCHARIDE ALDONIC ACIDS AND THEIR TOPICAL USE		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.132

Sir:

The owners, Ruey J. Yu, and Eugene J. Van Scott, of the entire interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Nos. 6,335,023 and 6,740,327, the entire interest in said prior patents being owned by Ruey J. Yu, and Eugene J. Van Scott. The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and §173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that any one of the prior patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The U.S. Patent and Trademark Office is authorized to charge \$130.00 for the small entity fee under 37 C.F.R. § 1.20(d) covering the cost of filing this Terminal Disclaimer and any additional fees to the undersigned's Deposit Account No. 07-1700.

Respectfully submitted,

Dated: 10/29/2007

By: Patrick A. Doody
Patrick A. Doody
Registration No. 35,022

Tel No. (202) 346-4128
Fax No. (202) 346-4444

Goodwin Procter LLP
901 New York Avenue, NW
Washington, DC 20001
Goodwin Customer No. 000070813